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Attorneys for Defendant
SUSTAINABLE MODULAR MANAGEMENT, INC.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, for the use
and benefit of BOMBARD ELECTRIC, LLC,

Plaintiff,

vs.

JE DUNN CONSTRUCTION
COMPANY, a Missouri corporation;
SUSTAINABLE MODULAR
MANAGEMENT, INC., a Texas corporation;
HARTFORD FIRE INSURANCE
COMPANY, a surety; TRAVELERS
CASUALTY AND SURETY COMPANY OF
AMERICA, a surety; FEDERAL
INSURANCE COMPANY, a surety;
PACIFIC INDEMNITY COMPANY, a
surety; DOES 1 through 10; and ROE
ENTITIES 11 through 20, inclusive,

Defendants.

Case No.: 2:20-cv-01200-APG-VCF

Complaint Filed: June 24, 2020

**STIPULATION TO EXTEND
SUSTAINABLE MODULAR
MANAGEMENT, INC.'S
TIME TO RESPOND TO
COMPLAINT**

(THIRD REQUEST)¹

¹ This the Third Request to extend response deadlines, but it is the first request as to Sustainable Modular Management, Inc.

1 This Stipulation to Extend Sustainable Modular Management,
2 Inc.'s Time to Respond to Complaint is made by and between Plaintiff United
3 States of America, for the use and benefit of Bombard Electric, LLC ("Plaintiff")
4 and Defendant Sustainable Modular Management, Inc. ("Defendant") through
5 its respective counsel, in light of the following facts:

6 RECITALS

7 A. Plaintiff filed the Complaint ("Complaint") on or about June 24,
8 2020.

9 B. By previous agreement with the Plaintiff, the current deadline for
10 Defendant to respond to the Complaint is September 3, 2020.

11 C. All defendants have been served.

12 D. Multiple claims related to the same subject matter have been filed
13 in both federal and Nevada courts. This stipulation seeks to align Defendant's
14 response deadline for this Complaint with response deadlines in a related case.
15 Moreover, the additional time will allow Defendant time to gather the facts
16 necessary to analyze and respond to Plaintiff's claims, and to coordinate with
17 counsel in the related cases regarding an efficient and coherent litigation
18 approach.

19 E. The parties have agreed that SMM shall have until September 24,
20 2020, to respond to the Complaint.

21 F. There is good cause to grant this stipulation because the extension
22 seeks to conserve judicial resources by developing a coherent approach to
23 multiple related cases.

24 G. This stipulation is filed in good faith and not intended to cause
25 delay.

26 H. Pursuant to Local Rule IA 6-2, Plaintiff and SMM respectfully
27 request that the Court extend the time for Defendant to respond to Plaintiff's
28 Complaint through September 24, 2020.

STIPULATION

NOW, THEREFORE, Plaintiff and SMM hereby stipulate and agree that SMM shall have up to and including September 24, 2020, to file a response to Plaintiff's Complaint.

IT IS SO STIPULATED.

DATED this 2nd day of September, 2020. DATED this 2nd day of September, 2020.

WILLIAMS | STARBUCK

MORRIS LAW GROUP

By: /s/ DONALD H. WILLIAMS
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By: /s/ STEVE MORRIS
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*Attorneys for Defendant
SUSTAINABLE MODULAR
MANAGEMENT, INC.*

Attorneys for The Sherwin-Williams
Company

ORDER

IT IS SO ORDERED.



United States Magistrate Judge

DATED 9-3-2020

CERTIFICATE OF SERVICE

Fed. R. Civ. P. 5(b) and Section IV of District of Nevada Electronic Filing Procedures, I certify that I am an employee of MORRIS LAW GROUP, and that the following document was served via electronic service: **STIPULATION TO EXTEND SUSTAINABLE MODULAR MANAGEMENT, INC.'S TIME TO RESPOND TO COMPLAINT (THIRD REQUEST).**

TO:

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*Attorneys for Defendants,
JE Dunn Construction Company,
Harford Fire Insurance Company,
Federal Insurance Company and
Travelers Casualty and Surety Company of
America*

Dated this 2nd day of September, 2020.

By: /s/ Patricia A. Quinn
An Employee of Morris Law Group

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

UNITED STATES OF AMERICA, for the use and benefit of BOMBARD ELECTRIC

(b) County of Residence of First Listed Plaintiff CLARK

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Donald Williams, Williams Starbuck; 612 S. 10th St, Las Vegas, NV 89101

DEFENDANTS

JE Dunn Construction Company, et. al.

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|----------------------------|---|----------------------------|---------------------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input checked="" type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE Hon. Jennifer Dorsey

DOCKET NUMBER 2:20-cv-00790-JAD-NJK

DATE

09/02/2020

SIGNATURE OF ATTORNEY OF RECORD

/s/ Steve Morris

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE